

THE CLAIMS

The listing of claims will replace all prior versions, and listings, of claims in this application. Applicants amend claim 44 and add new claims 59-61. Claims 44-61 are currently pending in this application. No new matter has been added to this application by any amendment or remark in this Response.

Claims 1-43 (Withdrawn).

44. (Currently Amended) A business method for controlling distribution of content to a network enabled device, the method comprising:

transferring selected content to the network enabled device, the selected content being supplied by a content owner;

communicating, over a network to the network enabled device, a license associated with the selected content and capable of being generated and downloaded at a different time than a time at which the selected content is transferred to the network enabled device, the license including access level information defining conditions for controlling the network enabled device to produce a user-perceptible form of the selected content when conditions defined by the access level information are met and to inhibit production of a user-perceptible form of the selected content when conditions defined by the access level information are not met, wherein the license is a separate file communicated to the network enabled device independent from the selected content;

communicating, over a network, a license associated with the selected content to the network enabled device, the license including access level information defining conditions for controlling the network enabled device to produce a user-perceptible form of the selected content

when conditions defined by the access level information are met and to inhibit production of a user-perceptible form of the selected content when conditions defined by the access level information are not met;

verifying, based upon information independently derived from the network enabled device, that the license associated with the selected content is valid when a request to access to the selected content is attempted, regardless of whether the license is generated and communicated before, during, or after the time at which the selected content is transferred to the network enabled device; and

charging a license fee to a user of the network enabled device based on a license access level.

45. (Original) The business method recited in claim 44, wherein charging the license fee to the user of the network enabled device comprises providing an interface for allowing the user of the network enabled device to select the license access level from a plurality of license access levels, each license access level defining a different set of conditions, wherein the license associated with the selected content includes access level information corresponding to the license access level selected by the user.

46. (Original) The business method recited in claim 45, wherein the plurality of access levels comprise:

a level defining a time window in which the network enabled device may produce a user-perceptible form of the selected content no more than once; and

a level defining a time window in which the network enabled device may produce a user-perceptible form of the selected content an unlimited number of times.

47. (Original) The business method recited in claim 44, further comprising paying to the content owner a percentage of the license fee charged for the license associated with the selected content.

48. (Original) The business method recited in claim 44, wherein demographic information associated with the license is used to compile a database of licensing information for various regions.

49. (Original) The business method recited in claim 48, wherein the database provides a plurality of parameters for available licenses for the content according to the determined geographical location of the user requesting the content.

50. (Original) The business method recited in claim 49, wherein the plurality of parameters comprises at least one of availability of the content at a particular time and availability of the content at a particular geographical location.

51. (Original) The business method recited in claim 48, wherein the licensing information is provided to content owners.

52. (Original) The business method recited in claim 49, wherein the geographical location of the user is determined from at least one of the user's credit card information, an IP of the user's computer system, and geographical information provided by the operating system of the user's computer system.

53. (Original) The business method recited in claim 44, further comprising providing benefits to the user under defined circumstances.

54. (Original) The business method recited in claim 53, wherein the benefits comprise charging a reduced license fee for the content.

55. (Original) The business method recited in claim 53, wherein the benefits comprise coupons for purchase of merchandise.

56. (Original) The business method recited in claim 53, wherein the defined circumstances comprise at least one of promotional gifts to the user, rewards to the user for referrals, rewards to the user for multiple downloads of the content, rewards to the user for non-download transfers of the content, and rewards to the user for purchasing a bundle of the content.

57. (Original) The business method recited in claim 44, wherein charging a license fee comprises receiving payment information from the user of the network enabled device.

58. (Original) The business method recited in claim 57, wherein the payment information comprises the user's credit card information.

59. (Newly Added) The business method of claim 44, further comprising processing a user request for additional rights to the selected content.

60. (Newly Added) The business method of claim 59, further comprising generating an additional license associated with the selected content and separate and independent of the selected content.

61. (Newly Added) The business method of claim 60, wherein the additional license includes further access level information defining additional conditions for controlling the specific network enabled device to produce a user-perceptible form of the selected content when conditions defined by the further access level information are met and to inhibit production of a user-perceptible form of the selected content when additional conditions defined by the further access level information are not met.